

10/29/1999 09:43:23 AM  
Page 1

# **1999 DRAFTING REQUEST**

## **Assembly Substitute Amendment (ASA-AB431)**

Received: **10/27/1999**

Received By: **nelsorp1**

Wanted: **As time permits**

Identical to LRB:

For: **Michael Huebsch (608) 266-0631**

By/Representing: **don dyke**

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Courts - miscellaneous**

Extra Copies: **don dyke**

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### **Pre Topic:**

No specific pre topic given

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### **Topic:**

Notary public confidentiality

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### **Instructions:**

99a0794 and a0824

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### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nelsorp1 10/27/1999	wjackson 10/28/1999		_____ _____			
/1			martykr 10/28/1999	_____ _____	lrb_docadmin 10/28/1999	lrb_docadmin 10/28/1999	
/2	nelsorp1 10/28/1999	wjackson 10/29/1999	jfrantze 10/29/1999	_____ _____	lrb_docadmin 10/29/1999	lrb_docadmin 10/29/1999	

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## Assembly Substitute Amendment (ASA-AB431)

Received: 10/27/1999

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Wanted: As time permits

Identical to LRB:

For: Michael Huebsch (608) 266-0631

By/Representing: don dyke

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Alt. Drafters:

Subject: Courts - miscellaneous

Extra Copies: don dyke

### Pre Topic:

No specific pre topic given

### Topic:

Notary public confidentiality

### Instructions:

99a0794 and a0824

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/?	nelsorp1 10/27/1999	wjackson 10/28/1999		_____ _____			
/1		/2 10/29 wlj	martykr 10/28/1999	_____ _____	lrb_docadmin 10/28/1999	lrb_docadmin 10/28/1999	

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me  
ENDS

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# 1999 DRAFTING REQUEST

## Assembly Substitute Amendment (ASA-AB431)

Received: 10/27/1999

Received By: nelsorp1

Wanted: As time permits

Identical to LRB:

For: Tony Staskunas (608) 266-0620

By/Representing: don dyke

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Alt. Drafters:

Subject: Courts - miscellaneous

Extra Copies: don dyke

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### Pre Topic:

No specific pre topic given

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### Topic:

Notary public confidentiality

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### Instructions:

99a0794 and a0824

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	nelsorp1	11 Wlj 10/28	Wn 10/28	22 10/28 <u>km 28</u>			

FE Sent For:

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10/28 am  
1999 - 2000 LEGISLATURE

LRBs0166/

RPW.....  
wy

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

**ASSEMBLY SUBSTITUTE AMENDMENT ,**

**TO 1999 ASSEMBLY BILL 431**

Gen Cat

1

AN ACT ...; relating to: ???

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

END

# 1999 ASSEMBLY BILL 431

August 19, 1999 - Introduced by Representatives STASKUNAS, SCHNEIDER, HUEBSCH, KELSO, GOETSCH, STONE, PETTIS, SERATTI, RYBA, LADWIG, M. LEHMAN, MUSSER, J. LEHMAN, F. LASEE, SYKORA, COGGS, NASS, MEYERHOFER, HASENOHRL and KEDZIE, cosponsored by Senators ROESSLER, RUDE, HUELSMAN and FARROW. Referred to Committee on Judiciary and Personal Privacy.

- 1 AN ACT to create 137.01 (5m) of the statutes; relating to: confidentiality of  
 2 documents reviewed by notary publics.

## Analysis by the Legislative Reference Bureau

Under current law, notary publics are asked to attest to a person's signature on various documents, including deeds and other conveyances, may administer oaths, take depositions and acknowledgements of deeds, accept inland bills of exchange and perform other duties related to the office of notary public. This bill provides that all documents reviewed by a notary public while performing the duties of a notary public and the information contained in those documents are confidential and may be released by the notary public only with the written consent of the person who requested the notary public's services.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

- 3 SECTION 1. 137.01 (5m) of the statutes is created to read:  
 4 (a) Except as provided in par. (b), a notary public shall all  
 5 137.01 (5m) CONFIDENTIALITY. ~~all~~ documents and ~~the~~ information contained  
 6 in any documents reviewed by a notary public while performing his or her duties as  
 a notary public shall be confidential and may be released by the notary public only.

→ insert 1-6 ← ✓

ASSEMBLY BILL 431

SECTION 1

1 with the written consent of the person who requested the services of the notary  
2 public. Any notary public violating this subsection shall be subject to the provisions  
3 of sub. (8) and may be required to forfeit not more than \$500.

4 (END)

insert 2-4 ✓

**ASSEMBLY AMENDMENT ,  
TO 1999 ASSEMBLY BILL 431**

*Insert 1-6*

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 1, line 4: substitute "(a) A notary public shall keep confidential all"
- 3 for "All".
- 4 **2.** Page 1, line 5: delete "a notary" and substitute "the notary".
- 5 **3.** Page 1, line 6: delete that line and substitute "a notary public and may
- 6 release a document<sup>5</sup> or the information to a 3rd person only"

**ASSEMBLY AMENDMENT ,  
TO 1999 ASSEMBLY BILL 431**

Insert  
2-4

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 4: substitute "(a) Except as provided in par. (b), all" for "All".

3 **2.** Page 2, line 2: delete lines 2 and 3 and substitute "public."

4 (b) Deposition transcripts may be released to all parties of record in an action.

5 A notary public may not release deposition transcripts that have not been made part  
6 of the public record to a 3rd party without the written consent of all parties to the  
7 action and the deponent. When a deposition transcript has been made part of the  
8 public record, a notary public who is also a court reporter may, subject to a protective  
9 order or agreement to the contrary, prohibit the release of the deposition transcript  
10 or sell the transcript to 3rd parties without the consent of the person who requested  
11 the services of the notary public.





10/29 10 am  
**State of Wisconsin**  
**1999 - 2000 LEGISLATURE**

LRBs0166/1 ✓ 2  
RPN:wlj:km

**ASSEMBLY SUBSTITUTE AMENDMENT ,**  
**TO 1999 ASSEMBLY BILL 431**

1     **AN ACT to create** 137.01 (5m) of the statutes; **relating to:** confidentiality of  
2     documents reviewed by notary publics.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3     **SECTION 1.** 137.01 (5m) of the statutes is created to read:

4     137.01 (5m) **CONFIDENTIALITY.** (a) Except as provided in par. (b), a notary public  
5     shall keep confidential all documents and information contained in any documents  
6     reviewed by the notary public while performing his or her duties as a notary public  
7     and may release <sup>the</sup> documents or the information to a 3rd person only with the written  
8     consent of the person who requested the services of the notary public.

9     (b) Deposition transcripts may be released to all parties of record in an action.

10    A notary public may not release deposition transcripts that have not been made part  
11    of the public record to a 3rd party without the written consent of all parties to the  
12    action and the deponent. When a deposition transcript has been made part of the